

Decision 02-09-014 September 5, 2002

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of William Singer dba Bill's Bus for certificate of public convenience and necessity to operate as a passenger stage corporation between Isla Vista, California and Santa Barbara, California and between San Diego, CA and Pacific Beach, CA.

Application 02-06-009  
(Filed June 7, 2002)

**O P I N I O N**

**Summary**

This decision grants the application of William Singer (Applicant), an individual, pursuant to Pub. Util. Code § 1031 *et seq.*, for a certificate of public convenience and necessity to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226.

**Discussion**

Applicant requests authority to operate as a PSC on a scheduled basis to transport passengers and their baggage between Isla Vista and Santa Barbara and between San Diego State University (SDSU) in San Diego and Pacific Beach. Isla Vista houses a large student population of approximately 25,000 and is located 12 miles north of Santa Barbara. Applicant indicated that there is no scheduled bus service from Isla Vista after 6 p.m. and that the proposed service will offer students a safe form of transportation. SDSU houses a student population of 36,000 and is located 14 miles northwest of Pacific Beach, an entertainment center for students and residents of the area. Applicant proposes

to run six services nightly, Tuesday through Saturday, beginning at 8:30 p.m. and ending at 1:30 a.m., with additional service during major events. Applicant will operate the service with six 47-passenger buses. The proposed one-way adult fares are \$4 (Isla Vista – Santa Barbara) and \$5 (SDSU – Pacific Beach), or round-trip fares of \$7 and \$9, respectively. Exhibit D is the unaudited Balance Sheet as of February 13, 2002, that discloses assets of \$126,000 and net worth of \$126,500.

Notice of filing of the application appeared in the Commission's Daily Calendar on June 14, 2002. Applicant notified the affected transit districts, cities and counties.

In Resolution ALJ 176-3090 dated June 27, 2002, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3090.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

### **Findings of Fact**

1. The application requests authority to operate as a PSC on a scheduled basis to transport passengers and their baggage between Isla Vista and Santa Barbara and between SDSU and Pacific Beach.
2. Public convenience and necessity requires the proposed service.
3. No protest to the application has been filed.
4. A public hearing is not necessary.

5. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**Conclusions of Law**

1. Public convenience and necessity has been demonstrated and the application should be granted.

2. Since the matter is uncontested, the decision should be effective on the date it is signed.

Only the amount paid to the State for operative rights may be used in rate fixing. The State may grant any number of rights and may cancel or modify the monopoly feature of these rights at any time.

**O R D E R**

**IT IS ORDERED** that:

1. A certificate of public convenience and necessity (CPCN) is granted to William Singer (Applicant), an individual, authorizing him to operate as a passenger stage corporation (PSC), as defined in Pub. Util. Code § 226, to transport persons and their baggage, between the points and over the routes set forth in Appendix PSC-15463, subject to the conditions contained in the following paragraphs.

2. Applicant shall:

- a. File a written acceptance of this certificate within 30 days after this order is effective.
- b. Establish the authorized service and file tariffs and timetables within 120 days after this order is effective.
- c. File tariffs on or after the effective date of this order. They shall become effective ten days or more after the effective date of this order, provided that the Commission and the public are given not less than ten days' notice.

- d. Comply with General Orders Series 101 and 158, and the California Highway Patrol (CHP) safety rules.
- e. Comply with the controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and General Order Series 158.
- f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so.
- g. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
- h. Enroll all drivers in the pull notice system as required by Section 1808.1 of the Vehicle Code.

3. Applicant is authorized to begin operations on the date that the Consumer Protection and Safety Division mails a notice to Applicant that his evidence of insurance and other documents required by Ordering Paragraph 2 have been filed with the Commission and that the CHP has approved the use of Applicant's vehicles for service.

4. Before beginning service to any airport, Applicant shall notify the airport's governing body. Applicant shall not operate into or on airport property unless such operations are authorized by the airport's governing body.

5. The CPCN to operate as PSC-15463, granted herein, expires unless exercised within 120 days after the effective date of this order.

6. The Application is granted as set forth above.

7. This proceeding is closed.

This order is effective today.

Dated September 5, 2002, at San Francisco, California.

LORETTA M. LYNCH

President

CARL W. WOOD

GEOFFREY F. BROWN

MICHAEL R. PEEVEY

Commissioners

Commissioner Henry M. Duque, being necessarily  
absent, did not participate.

CERTIFICATE  
OF  
PUBLIC CONVENIENCE AND NECESSITY  
AS A PASSENGER STAGE CORPORATION  
PSC-15463

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Showing passenger stage operative rights, restrictions,  
limitations, exceptions, and privileges

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All changes and amendments as authorized by  
the Public Utilities Commission of the State of California  
will be made as revised pages or added original pages.

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Issued under authority of Decision 02-09-014,  
dated September 5, 2002, of the Public Utilities Commission  
of the State of California in Application 02-06-009.

## **I N D E X**

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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,  
LIMITATIONS, AND SPECIFICATIONS.

William Singer, an individual, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, is authorized to transport passengers and their baggage on a scheduled basis, between points and places as described in Section II, and over and along the routes described in Section III, subject however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- A. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- B. Scheduled service will be operated only at the designated communities and cities described in Section II. A description of all the stop points and the arrival and departure times from such points shall be indicated in the timetable filed with the Commission.
- C. No passengers shall be transported except those having a point of origin or destination as described in Section II.
- D. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.



SECTION II. ROUTE DESCRIPTIONS.

Route 1 Isla Vista/Santa Barbara

Commencing from Isla Vista, then over the most convenient streets, expressways, and highways to Santa Barbara.

Route 2 SDSU/Pacific Beach

Commencing from San Diego State University (SDSU), then over the most convenient streets, expressways, and highways to Pacific Beach.